

House File 2030 - Introduced

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BY ISENHART

A BILL FOR

1 An Act relating to the adoption of energy conservation
2 requirements by governmental subdivisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 103A.8A, Code 2022, is amended to read
2 as follows:

3 **103A.8A Energy conservation requirements.**

4 1. The state building code commissioner shall adopt as
5 a part of the state building code a requirement that new
6 single-family or two-family residential construction shall
7 comply with energy conservation requirements. The requirements
8 adopted by the commissioner shall be based upon a nationally
9 recognized standard or code for energy conservation. The
10 requirements shall only apply to single-family or two-family
11 residential construction commenced after the adoption of the
12 requirements. Notwithstanding any other provision of this
13 chapter to the contrary, the energy conservation requirements
14 adopted by the commissioner and approved by the council
15 shall apply to new single-family or two-family residential
16 construction commenced on or after July 1, 2008, and shall
17 supersede and replace any minimum requirements for energy
18 conservation adopted or enacted by a governmental subdivision
19 prior to that date applicable to such construction. The state
20 building code commissioner may provide training to builders,
21 contractors, and other interested persons on the adopted energy
22 conservation requirements.

23 2. This section shall not be interpreted to prohibit
24 or otherwise limit a governmental subdivision's ability
25 to adopt energy conservation requirements that are more
26 restrictive than the energy conservation requirements adopted
27 by the commissioner as long as the requirements adopted by
28 the governmental subdivision are not more restrictive than
29 those provided in the most recently published version of the
30 international energy conservation code.

31 Sec. 2. Section 103A.22, subsection 1, Code 2022, is amended
32 to read as follows:

33 1. a. Nothing Except as provided in paragraph "b",
34 nothing in **this chapter** shall be construed as prohibiting any
35 governmental subdivision from adopting or enacting any building

1 regulations relating to any building or structure within its
2 limits, ~~but a.~~

3 b. A governmental subdivision in which the state building
4 code has been accepted and is applicable shall not have the
5 power to supersede, void, ~~or~~ repeal, or make more restrictive
6 any of the provisions of **this chapter** or ~~of the~~ rules adopted
7 by the commissioner.

8 c. **This subsection** ~~shall~~ does not apply to energy
9 conservation requirements adopted by the commissioner and
10 approved by the council pursuant to **section 103A.8A** or **103A.10**.
11 Subject to the restriction in section 103A.8A, subsection
12 2, a governmental subdivision may adopt energy conservation
13 requirements that are more restrictive than those adopted by
14 the commissioner.

15 Sec. 3. Section 331.304, subsection 2, Code 2022, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *c.* A county may adopt energy conservation
18 requirements that are more restrictive than those adopted
19 by the state building code commissioner pursuant to section
20 103A.8A as long as the requirements adopted by the county are
21 not more restrictive than those provided in the most recently
22 published version of the international energy conservation
23 code.

24 Sec. 4. NEW SECTION. **364.17A Energy conservation**
25 **requirements.**

26 A city may adopt energy conservation requirements that are
27 more restrictive than those adopted by the state building
28 code commissioner pursuant to section 103A.8A as long as the
29 requirements adopted by the city are not more restrictive than
30 those provided in the most recently published version of the
31 international energy conservation code.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill relates to the adoption of energy conservation

1 requirements by governmental subdivisions.

2 Under current law, the state building code commissioner
3 is required to adopt, as part of the state building code,
4 requirements relating to energy conservation for new
5 single-family and two-family residential construction. Such
6 requirements supersede and replace any minimum requirements
7 for energy conservation adopted or enacted by a governmental
8 subdivision prior to July 1, 2008.

9 The bill provides that the adoption of energy conservation
10 requirements as part of the state building code shall not be
11 interpreted to prohibit or otherwise limit a governmental
12 subdivision's ability to adopt energy conservation requirements
13 that are more restrictive than the energy conservation
14 requirements adopted by the commissioner as long as the
15 requirements adopted by the governmental subdivision are not
16 more restrictive than those provided in the most recently
17 published version of the international energy conservation
18 code. The bill also explicitly grants a county or city the
19 authority to adopt energy conservation requirements that are
20 more restrictive than those adopted by the state building code
21 commissioner as long as the requirements adopted by the county
22 or city are not more restrictive than those provided in the
23 most recently published version of the international energy
24 conservation code.